

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

BRENDA KOEHLER,
KELLY PARKER,
LAYLA BOLTEN,
and GREGORY HANDLOSER,

Plaintiff,

v.

Case No. 13-CV-885

MINUTE SHEET

INFOSYS TECHNOLOGIES LIMITED INC,
and INFOSYS PUBLIC SERVICES INC,

Defendants.

Hon. David E. Jones, presiding.

Deputy Clerk: Tony Byal

Type of proceeding: Telephonic Oral Argument

Date: June 2, 2017 at 2:00 PM

Court Reporter: FTR Gold

Time Commenced: 2:02:52

Time Concluded: 3:02:31

Appearances: **Plaintiff:** Daniel A Kotchen, Michael J von Klemperer

Defendant: Ellen E Boshkoff, George A Stohner, Samantha Rollins

Comments:

Court rules on pending motions:

Motion to Strike Notice of Witness Tampering and Retaliation (docket no. 121) is **GRANTED**. Docket no. 121 shall be stricken from the docket.

Motion for Sanctions (docket no. 134) is **DENIED** as moot without prejudice.

Motion to Compel is **DENIED** in part and **GRANTED** in part.

Unopposed Motion for Leave to File Excess Pages (docket no. 139) is **GRANTED**.

Unopposed Motion to Restrict Documents (docket no. 140) is **GRANTED**.

Court discusses three topics raised in emails from parties:

1) PeopleFluent material in custody of Infosys

Court:

- Asks plaintiff what additional arguments can be made re: summary judgment and class certification with PeopleFluent documents.

Plaintiff:

- Discusses documents being consistent with expert report and analysis.
- Feels there was a broad effort by Infosys to shield PeopleFluent documents during discovery.

Defendant:

- Discusses what PeopleFluent documents were produced. Has agreed to perform more ESI.
- Offers to search Sandra Jackson's ESI for PeopleFluent search terms.

2) Discovery re: affirmative action

Court:

- Discusses documents produced earlier in case re: affirmative action comity.

Plaintiff:

- Documents from affirmative action comity were not produced until December 2016.
- Discusses repository folder containing affirmative action comity documents.

Defendant:

- Discusses documents from PeopleFluent and affirmative action compliance plans that were produced from repository.
- Will contact Ms. Jackson to see if a search re: affirmative action comity documents can be performed in repository.
- Ms. Jackson is the manager of the affirmative action program.
- Ms. Jackson has not been deposed yet.

Court:

- Directs parties to focus on discovery requests and to work with Ms. Jackson to get documents. Parties are to reach an agreement on how to proceed by Tuesday, 06/06/2017.

3) Computers in possession of Mr. Jalona, Mr. Kedia, and Mr. Weber

Defendant:

- Discusses Infosys computers in possession of employees.
- Mr. Weber does not have a laptop.
- Mr. Jalona is former employee residing in India.
- There are legal holds on all laptops involved in case.

Court:

- Directs plaintiff to conduct more forensics on computers if necessary.
- Directs defendant to make good faith efforts to contact Mr. Jalona re: any documents that were backed up on his laptop.
- Discusses interrogatories re: what document preservation steps were taken and circumstances of memory being wiped on computers.
- Defendant to submit in-camera examples on litigation holds to Court.